

PHILIP R. SELLINGER  
United States Attorney  
DAVID V. SIMUNOVICH  
Assistant United States Attorney  
970 Broad Street, Suite 700  
Newark, NJ 07102  
Tel. (973) 645-2736  
david.simunovich@usdoj.gov

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General  
JAMIE ANN YAVELBERG  
COLIN M. HUNTLEY  
JARED S. WIESNER  
Civil Division  
Commercial Litigation Branch  
P.O. Box 261, Ben Franklin Station  
Washington, D.C. 20044  
Telephone: (202) 305-3656  
Jared.S.Wiesner2@usdoj.gov

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA *ex rel.*  
BRYAN QUESENBERY,

*Plaintiff,*

v.

ARTISTIC TILE, INC., *et al.*,

*Defendants.*

HON. RENÉE MARIE BUMB

Civil Action No. 20-13070 (RMB) (KMW)

**FILED UNDER SEAL & EX PARTE**

**JOINT STIPULATION OF DISMISSAL**

WHEREAS on or about June 19, 2020, Relator Bryan Quesenberry,  
proceeding *pro se*, filed a *qui tam* action in the United States District Court for the  
District of New Jersey, captioned *United States ex rel. Bryan Quesenberry v. Artistic*

*Tile, Inc., et al.*, Civ. No. 20-13070, pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b).

WHEREAS the United States has filed a notice of intervention in this action for the purposes of settlement.

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms of the Settlement Agreement, the United States and the Relator hereby stipulate and agree as follows:

1. The United States, Relator, Defendant Daniel Markus, Inc., and third party Margarita Risis (collectively, the “Settling Parties”) have executed a written Settlement Agreement that provides for the dismissal of this action.
2. Relator stipulates that the settlement of this action is fair, adequate, and reasonable under all the circumstances as defined by 31 U.S.C. § 3730(c)(2)(B).
3. Accordingly, the United States and Relator requests that pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the False Claims Act, 31 U.S.C. § 3730(b)(1), this action be dismissed, consistent with the terms and conditions of the Settlement Agreement, (i) with prejudice to Relator as to all claims and all parties, (ii) with prejudice to the United States as to the “Covered Conduct,” as defined by the Settlement Agreement, involving Daniel Markus, Inc., and (iii) without prejudice as to the United States’ claims against all other named Defendants.



4. Except as otherwise provided in the Settlement Agreement, all parties shall bear their own costs.

5. The parties respectfully request that the Court enter an order in the form of the proposed order attached.


Dated: Newark, New Jersey  
March 21, 2022

Respectfully submitted,

PHILIP R. SELLINGER  
United States Attorney

By: /s/ David V. Simunovich  
DAVID V. SIMUNOVICH  
Assistant United States Attorney  
970 Broad Street, Suite 700  
Newark, NJ 07102  
Tel. (973) 645-2736  
david.simunovich@usdoj.gov

BRIAN M. BOYNTON  
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Washington, D.C. 20044  
Telephone: (202) 305-3656  
Jared.S.Wiesner2@usdoj.gov

  
BRYAN QUESENBERRY  
197 East 100 North, Suite A  
Payson, UT 84651  
*Relator (pro se)*